

Transition Procedures

In order to meet the requirements of 34 CFR §303.209(b) First Steps has put into place the following procedures.

The First Steps program shall provide notification to the SEA and appropriate LEA of any child enrolled in the First Steps program that may be eligible for preschool services under part B of IDEA. Notice must be made:

- not fewer than 90 days before the child's third birthday
- for a child that is eligible for First Steps more than 45 but less than 90 days before the toddler's third birthday, notice to the LEA shall be made as soon as possible after determining the child's eligibility
- if a toddler is referred to the lead agency fewer than 45 days before that toddler's third birthday, with parental consent.

Notification to the LEA and SEA must contain the:

- child's name
- child's date of birth
- parent's name and
- parent's contact information

Implementation of Procedures:

Monthly, the state will produce for the SEA and each System Point of Entry (SPOE) office the names and directory information as listed above, of First Steps eligible children within the SPOE service area who:

- are or will be 30 months of age during the reporting month.
- have entered First Steps after the last reporting period, that are over 30 months of age.

Within five working days of receipt of the information, the SPOE must forward to the local LEA the data for eligible children residing within the LEA's service area.

For any child referred to the First Steps program fewer than 45 days before that toddler's third birthday, and with parental consent, the SPOE must send, as soon as possible, to the LEA, a referral for the child for Part B services.

Please note, that these procedures shall be used in conjunction with required transition activities for children whose family elect to pursue Part B services, including those requirements as listed within 34 CFR §303.209, and 470 IAC3.1-11 which include:

IFSP Conference to discuss transition planning and services

For children potentially eligible for Part B services (see note below): Not fewer than 90 days and up to 9 months (at the discretion of all parties) before a child's 3rd birthday, the SC must convene an IFSP meeting to establish a transition plan with active involvement of the family, for the child and family. With parental consent, the LEA shall be included in the meeting to discuss services for which the child may be eligible. If the family does not provide consent for participation of the LEA, the SC shall with approval and involvement of the family, make a reasonable effort to include the providers of other appropriate services for which the child may receive at age 3, to participate in the IFSP/transition meeting.

The IFSP meeting must include the following participants:

- The parent or parents of the child,
- Other family members, as requested by the parent, if feasible to do so
- An advocate or person outside of the family, if the parent requests that the person participate,
- The service coordinator responsible for implementing the IFSP,
- A person or persons directly involved in conducting the evaluations and assessments,
- As appropriate, persons who will be providing services

*It is expected that LEAs participate in transition conferences arranged by Part C for those toddlers with disabilities who may be eligible for preschool services under Part B. (§ 303.209(e))

If a person listed above (other than the LEA) is unable to attend the meeting, arrangements must be made for the person's involvement through other means, including one of the following:

- Participating in a telephone conference call,
- Having a knowledgeable authorized representative attend the meeting,
- Making pertinent records available at the meeting.

During the IFSP/transition meeting, the SC is responsible for the creation of a transition plan. A transition plan section is an included element of every IFSP.

The transition plan must include:

- A review of the program options for the child for the period from the child's third birthday through the remainder of the school year,
- Any transition services that the IFSP Team (which would include the family) identifies as needed by that child and family; and
- Steps for the child and family to exit from the part C program, which must contain:
 1. Discussions with, and trainings of, parents as appropriate, regarding future placements and other transition matters
 2. Procedures to prepare the child for changes in service delivery, including steps to help the child adjust to, and function in, a new setting
 3. Confirmation that child find information about the child has been transmitted to the LEA or other relevant agency in accordance with §303.209(b) to ensure

- continuity of services from the Part C program to the Part B program, including a copy of the most recent evaluation and assessments of the child and family and most recent IFSP developed in accordance with §§303.340 through 303.345; and
4. Identification of transition services and other activities that the IFSP Team determines are necessary to support the transition of the child.

The transition conference and IFSP meeting may be combined into one meeting. As with any IFSP meeting, the transition meeting must meet the requirements of §§303.342(d) and (e), 303.343(a) and §303.209(e):

§303.342

(d) *Accessibility and convenience of meetings.*

(1) IFSP meetings must be conducted—

- (i) In settings and at times that are convenient for the family; and
- (ii) In the native language of the family or other mode of communication used by the family, unless it is clearly not feasible to do so.

(2) Meeting arrangements must be made with, and written notice provided to, the family and other participants early enough before the meeting date to ensure that they will be able to attend.

(e) *Parental consent.* The contents of the IFSP must be fully explained to the parents and informed written consent, as described in § 303.7, must be obtained, as required in § 303.420(a)(3), prior to the provision of early intervention services described in the IFSP. Each early intervention service must be provided as soon as possible after the parent provides consent for that service, as required in § 303.344(f)(1).

(Authority: 20 U.S.C. 1435(a)(4), 1436)

§303.343(a)

(a) *Initial and annual IFSP Team meeting.*

(1) Each initial meeting and each annual IFSP Team meeting to evaluate the IFSP must include the following participants:

- (i) The parent or parents of the child.
- (ii) Other family members, as requested by the parent, if feasible to do so.
- (iii) An advocate or person outside of the family, if the parent requests that the person participate.

(iv) The service coordinator designated by the public agency to be responsible for implementing the IFSP.

(v) A person or persons directly involved in conducting the evaluations and assessments in § 303.321.

(vi) As appropriate, persons who will be providing early intervention services under this part to the child or family.

(2) If a person listed in paragraph (a)(1)(v) of this section is unable to attend a meeting, arrangements must be made for the person's involvement through other means, including one of the following:

- (i) Participating in a telephone conference call.
- (ii) Having a knowledgeable authorized representative attend the meeting.
- (iii) Making pertinent records available at the meeting.

§303.209(e)

(a) **Application requirements.** Each State must include the following in its application:

(1) A description of the policies and procedures it will use to ensure a smooth transition for infants and toddlers with disabilities under the age of three and their families from receiving early intervention services under this part to—

- (i) Preschool or other appropriate services (for toddlers with disabilities); or
- (ii) Exiting the program for infants and toddlers with disabilities.

(2) A description of how the State will meet each of the requirements in paragraphs (b) through (f) of this section.

(3)

(i)

(A) If the lead agency is not the SEA, an interagency agreement between the lead agency and the SEA; or

(B) If the lead agency is the SEA, an intra-agency agreement between the program within that agency that administers part C of the Act and the program within the agency that administers section 619 of the Act.

(ii) To ensure a seamless transition between services under this part and under part B of the Act, an interagency agreement under paragraph (a)(3)(i)(A) of this section or an intra-agency agreement under paragraph (a)(3)(i)(B) of this section must address how the lead agency and the SEA will meet the requirements of paragraphs (b) through (f) of this section (including any policies adopted by the lead agency under § 303.401(d) and (e)), § 303.344(h), and 34 CFR 300.101(b), 300.124, 300.321(f), and 300.323(b).

(4) Any policy the lead agency has adopted under § 303.401(d) and (e).

Note: For purposes of this policy, the State has made the determination that any child eligible for Part C services 90 days prior to their third birthday shall be considered potentially eligible for Part B preschool services. However, all children who exit Part C in Indiana, regardless of their age, receive a transition conference with the appropriate parties to discuss other relevant, appropriate services the toddler may receive.